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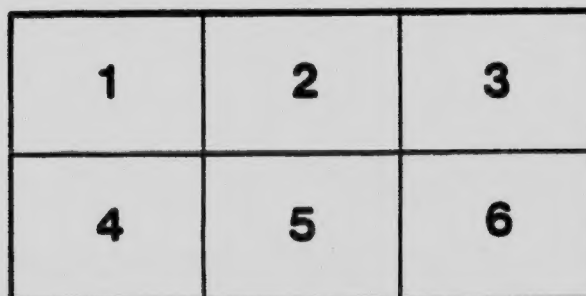
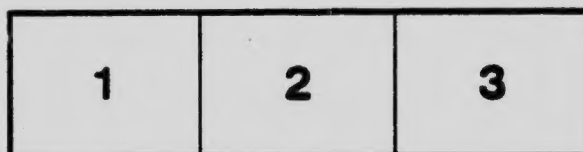
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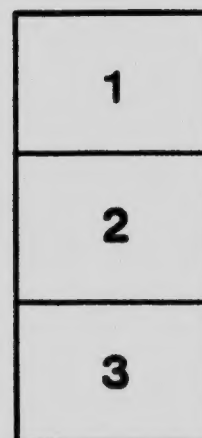
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5747

CONFIDENTIAL
FOR PATENT SOLICITORS ONLY

**Epitome
of the Patent Laws
in Canada
and United States**

BY
E. J. Fetherstonhaugh

FETHERSTONHAUGH & BLACKMORE

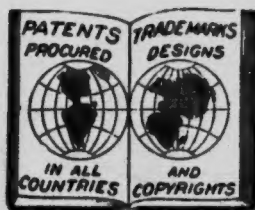
Liverpool and London and Globe Building
MONTREAL, CANADA

Fetherstonhaugh & Blackmore

Liverpool and London and Globe Building
Montreal, Canada

REGISTERED PATENT SOLICITORS

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Ottawa, Can. :
E. J. Fetherstonhaugh
J. F. Smellie, Assoc.
Trust Building

Washington, U.S. :
Room 511, McGill Building

Entered according to Act of the Parliament of Canada
in the year 1905, by E. J. Fetherstonhaugh, at
the Department of Agriculture.

INTRODUCTORY

The rapid growth of the Dominion of Canada during a comparatively recent period is phenomenal, and as the many and varied industries continue to develop the need of patented articles increases to a great extent.

This fact has not as yet been fully appreciated abroad, though the applications for patents from foreign lands are increasing, simply because the patentees who exploit the inventions find an active and profitable market.

There appears to be much misunderstanding extant regarding the working of a Canadian patent, whereas the conditions of the Amended Act have materially lightened the onerous duties formerly levied upon certain patentees in order to keep their patents in force.

This book, in addition to general directions for the guidance of solicitors and agents, contains explanatory matter, which may help to clear away an unreasonable prejudice, as the conditions regarding manufacture are very simple and not in any way difficult to fulfill.

THE AUTHOR.

CANADA

THE APPLICANT OR APPLICANTS.

"The applicant or applicants for a patent must be the actual inventor or inventors of any new and useful art, machine, manufacture or composition of matter, or any new and useful improvement in any art, machine, manufacture or composition of matter, which was not known or used by any other person before his or their invention thereof in any country, and which has not been in public use or on sale with the consent or allowance of the inventor or inventors thereof, for more than one year previous to his or their application for patent therefor in Canada, or in the event of the death of the inventor or inventors occurring before the application for a patent the applicant or applicants must be his or their duly qualified executors or administrators."

The applicant or applicants will be required to make oath and say as to the actuality of being the true and first inventor or inventors, or as to being the executors or administrators of a deceased person actually the inventor, to the best of their knowledge and belief.

The issue of a foreign patent will not deter a duly qualified applicant from obtaining a patent in Canada, provided a period of one year has not elapsed between the date of the application in Canada and the date of the first foreign patent; a notice of intention to apply should be filed in the Patent Office in Canada within three months after the date of issue of the first foreign patent.

THE APPLICATION.

The application must be made in certain prescribed forms consisting of (1) a petition by the applicant making statements as required by the Patent Act, and the

election of a domicile in Canada; (2) an oath verifying the statements in the petition and administered by a Notary Public, Justice of the Peace, Commissioner or other duly qualified official; (3) a power of attorney (usually combined with petition) to a solicitor, when such is employed; (4) a specification in duplicate setting forth the nature of the invention, having reference to accompanying drawings, and claims as to novelty in triplicate.

The prosecution of an application before the Commissioner of Patents consists principally in the amendment of the claims, when the specification and drawings have been prepared according to the requirements of the Patent Office, and may be considered as purely technical work, which can only be done properly by a competent person in order to secure to the applicant all the novelty justified by the state of the art. The examination as to novelty in the Patent Office of Canada is quite exhaustive, and not at all confined to the patents issued in Canada before the application.

THE PATENT.

The duration of a Canadian patent is for eighteen years from date of issue. The usual practice is to pay to the Government at the time of application a fee which includes all payments to the Government for the first six years of the life of the patent. Further fees are due before the end of the sixth year and the twelfth year, and if not paid either before or at maturity the patent will lapse irrevocably, as far as the Patent Office is concerned, and nothing other than a special Act of Parliament can restore the rights of the patentee. It is permissible to pay the Government fees for the full term of the patent in one payment.

The life of a patent is subject to other conditions than the payment of fees, and unless they are carefully complied with, the patent will be rendered invalid, and it

may be held stated that negligence or other insufficient reasons will not serve as an excuse for failure to comply with the conditions, as hereinafter set forth.

IMPORTATION of the invention, as covered by the patent claims, must not occur after the lapse of one year from the date of the patent. There is considerable discussion as to the precise rights of a patentee under the importation clause, but undoubtedly the wisest and most acceptable plan to adopt is to refrain from importing any and all of the parts together or separately, covered broadly and specifically in the claims of the patent.

An extension for one year for importation may sometimes be obtained from the Government, when the circumstances in the opinion of the Commissioner justify such extension.

MANUFACTURE.—The manufacture, or as it is more commonly known, the working of the patent, is required within two years of the date of the patent. The manufacture of the invention must be sufficient to satisfy the demands of the public, and such demand should be sought for to a reasonable extent, certainly enough to inform the public that the invention is available for the benefit of the people. Normal working is frequently accomplished, when it has proved difficult to actually manufacture or work the invention within the time permitted, that is, to seek a demand through the channels of the press and direct appeal to manufacturers, but this is always a doubtful method of insuring the validity, and in view of the special provisions of the amended Act, it can only be recommended as an expedient.

An extension of time for two further years may in some instances be obtained from the Government, but the reasons advanced in such a petition must be particularly definite and satisfying to the Commissioner before an extension will be granted and be accompanied by an affidavit as to the veracity of the statements.

The Commissioner may, in his discretion, either at the time of the issue, if applied for, or within six months thereafter, order that the patent shall not be subject to the condition regarding manufacture, as explained in the foregoing, but shall be subject to compulsory licensing, that is to say, the Commissioner shall have the power to grant to any person, other than the owner of the patent, the privilege of making, using and selling the invention, and such license shall in all likelihood be granted, if the Commissioner is satisfied after investigation that the demands of the public have not been served as regards the supplying of the invention. The grant of one license shall not necessarily exclude the issue of one or more others. The refusal of the owner of the patent to accede to the grant of a license under the Commissioner's orders shall be tantamount to the entire forfeiture of his rights.

The compulsory license conditions are not applicable to patents generally, but are confined to certain classes of invention.

The following is quoted from a Canada Patent Office letter referring to the patents likely to be brought under the compulsory license conditions on proper petition being presented:—

“ Certain patents for an art or process; certain patents for improvements on a patented invention when both patents are not held by the same person; patents for certain appliances or apparatus used in connection with railways, telegraph, telephone and lighting systems, and other works usually under the control of public or large private corporations, and which appliances or apparatus cannot be installed or constructed without the consent of such corporation; and certain patents for inventions which are manufactured or constructed only to order and are not, according to custom, carried in stock.”

MARKING PATENTED ARTICLES

All articles patented and offered for sale must be stamped or marked with the word "Patented" and the year of issue of the patent, and where the nature of the article will not permit this, the package containing the article, or a label attached to the article must be so marked.

THE CAVEAT.

The privilege accorded by the Government of allowing an inventor to file a description of an incomplete invention is generally misunderstood and frequently abused.

The caveat is a benefit to inventors at large, as they are permitted to file descriptions of parts of an incomplete device pending the completion of the same, when the whole may be assembled and be made subject matter of an application for a patent.

It must be understood that the Government does not grant to the caveator the same privileges as are enjoyed by the patentee, but merely engages to notify the caveator, if an application in a similar and conflicting device is filed during the term of the year from the date of the caveat. The caveator will then be obliged to file an application for a patent and with the conflicting applicant submit evidence as to priority of invention.

The inventor who obtains a caveat is not in possession of a one-year patent, nor is he entitled to state that he has applied for a patent.

TRADE MARKS.

The Government permits the registration of all marks, names, brands, labels, packages or other business devices, which are adapted for use by any person in his trade, business, occupation or calling for the purpose of dis-

tinguishing the article, providing a similar registration has not been made by another.

The exclusive right to a trade mark is determined entirely by first use, and the fact that registration is obtained will not secure to the registrant the right to use, if first use can be proved by another.

The first user can always, by taking the proper legal steps, procure cancellation of the registration of another, but it is considered very loose business methods in any one to neglect to register his mark, and too often it means the expenditure of considerable sums of money in not taking such a precaution.

Trade marks may be general or specific. the former is used in the sale of various articles in a business, while the latter is confined to a particular class of merchandise.

The duration of a General Trade Mark Certificate of Registry is without limitation.

The duration of a Specific Trade Mark Certificate of Registry is for twenty-five years, but may be renewed.

DESIGNS.

The protection of designs is granted by the Government on proper registration.

The designs must be novel, and are confined to those used in industrial pursuits for ornamental purposes, such as badges, jewellery, silverware, iron and brass castings, rugs, carpets, furniture and other manufactures.

The duration of design protection is for five years with the privilege of renewal.

COPYRIGHTS.

The copyright for a book, map, chart, painting, statue or other such work of art is granted for the term of twenty-eight years renewable.

UNITED STATES OF AMERICA

THE APPLICANT OR APPLICANTS.

"The applicant or applicants for Letters Patent must be the actual inventor or inventors of any new and useful art, machine, manufacture or composition of matter, or any new and useful improvement thereof not known or used before his or their invention or discovery thereof or patented or described in any printed publication in any country before his or their invention or discovery thereof for more than two years prior to his or their application or patented in any country foreign to the United States, on an application filed more than twelve months before this application, or in public use or on sale in the United States for more than two years prior to his or their application; or in the event of the death of the inventor before the application such will be made by his or their executors or administrators."

THE APPLICATION.

The application must be made in certain prescribed forms consisting of (1) a petition making certain required statements; (2) an oath taken before a United States Consular officer by the applicant in which is required statements fully setting forth his rights under the conditions of the Patent Act to make the application; (3) a power of attorney to the applicant's solicitor, usually combined with the aforesaid petition; (4) a specification setting forth the nature of the invention having reference to accompanying drawings, and claims as to novelty attached to said specification.

The prosecution of the application by an attorney, when such is employed, must be conducted by one registered and authorized to practise before the Office, and in no instance will the Commissioner of Patents permit other than a duly qualified attorney to appear in behalf of the applicant.

The examination in the United States Patent Office is very strict, and it goes without saying that the prosecution of a patent under such conditions insures to the inventor or his representatives the best legal position for the defence of his proprietary rights, if circumstances subsequently demand it.

The specification, claims and drawings may be amended from time to time during the prosecution, until the full measure of novelty, as permitted by the state of the art, is arrived at, when the Patent Office issues a certificate of allowance.

The allowance of the application is an intimation from the Commissioner of Patents, that Letters Patent will be issued on the payment of the fee required by the Act and a period of six months is allowed for the payment of such fee.

LETTERS PATENT.

The duration of a United States patent is for seventeen years from date of issue.

The payment of the Government fee after allowance is the final amount to be paid, and after issuance the patent is free from all conditions such as manufacture, importation or renewal fees. An interference with another application, however, may be declared after the issue of a patent, but if such occurs it aids materially in strengthening the position of the patentee, in other words, the more clearly it is elucidated to the patentee, as to exactly what he owns in the way of rights the less liable he is to have trouble later on, and this is no doubt the intention of the Patent Act and Rules of the Office in the United States of America.

MARKING PATENTED ARTICLES.

All articles patented and offered for sale must be stamped or marked with the word "Patented," and the

day and year of issue of the patent, and where the nature of the article will not permit this, the package containing the articles, or a label attached to the article must be so marked.

UNITED STATES—CAVEATS.

The duration of a caveat is for one year renewable. The Government undertakes the same obligation to notify the caveator as in Canada, who is obliged within three months of a notice from the Office to file an application for Letters Patent.

TRADE MARKS.

The duration of a certificate of registry of a trade mark is for thirty years, and may be renewed.

In the event of the mark being applied to articles manufactured in a foreign country and sold in the United States, the certificate of registry is limited to the term of the foreign registration.

The certificate of registry in United States only applies to the particular class of goods mentioned therein.

The first user has the undeniable rights to a mark, providing his proofs are substantial.

DESIGN PATENTS.

The duration of a design patent is for three and one-half years, seven years or fourteen years as the applicant may elect.

The design must be novel and for purely ornamental purposes in industrial pursuits.

The applicant must be the inventor, or in the event of his death, his executor or administrator.

The application is very similar to the application for Letters Patent, the difference being a slight modification of the petition and oath and a particular manner of drawing up the specification and illustrations.

COPYRIGHTS.

The duration of a copyright is for twenty-eight years renewable.

A copyright may be obtained for a book, map, chart, painting, statue or such like work of art.

LABELS AND PRINTS.

Labels and prints may be registered. This registration is confined to new and original prints or labels used in connection with the sale of goods.

FORMS

CANADA.

PETITION WITH POWER.

To the Honorable Commissioner of Patents, Ottawa:

The petition of (*full name and address and occupation of inventor or inventors*) sheweth that he hath invented (*Title of invention*) not known or used by others before his invention thereof, and not being in public use, or on sale, with his consent or allowance as such inventor, for more than one year previous to his application for a patent therefor in Canada.

Your petitioner therefor prays that a patent may be granted to him for the said invention, as set forth in the specification in duplicate relating thereto, and, for the purposes of the Patent Act, your petitioner elects his domicile in the City of Montreal, in the Province of Quebec, in the Dominion of Canada, and he hereby appoints E. J. Fetherstonhaugh, of the City of Montreal, in the Province of Quebec, his attorney, with full power of substitution and revocation therein, to sign the drawings, to receive the patent and to transact all business in the Patent Office connected therewith.

Signed at (*place and date*).

(*Signature of inventor.*)

In the presence of:

.....

OATH.

(Country.)

(State or Province.)

(County.)

I, *(name and address in full of the inventor)* make oath and say, that I verily believe that I am the inventor of the new and useful improvements in *(title of invention)* described and claimed in the specification relating thereto, and for which I solicit a patent by my petition, dated the *(date)* day of *(month)*, *(year)*.

And I further say that the same has not been patented to me, or to others with my knowledge and consent in any country (except in the following countries) (names of the countries and dates of patents).

And I further say that the several allegations contained in the said petition are respectively true and correct.

(Signature of Inventor.)

Sworn before me, at the *(date)*
day of *(month)*, 190..

(Signature of officer administering oath.)

(Official character.)

(Affix seal here.)

OATH FOR JOINT INVENTORS.

(Country.)

(State or Province.)

(County.)

We (names and full addresses of inventors) do hereby, severally make oath and say:

1st. I, this deponent (*First Applicant*), for myself do hereby make oath and say that I verily believe that I, and the said (*Second Applicant*) are the inventors of the new and useful improvements in (*title of invention*) described and claimed in the specification in duplicate relating thereto, for which we solicit a patent by our petition to the Commissioner of Patents, dated (*date*) day of (*month*), 190... And I further say that the same has not been patented to me, or to others with my knowledge and consent in any country (except in the following countries) (names of the countries and dates of patents). And I further say that the several allegations contained in the said petition are respectively true and correct.

2nd. I, this deponent (*Second Applicant*), for myself do hereby make oath and say, that I verily believe that I, and the above named (*First Applicant*) are the inventors of the new and useful improvement in (*title of invention*), described and claimed in the specification in duplicate, relating thereto, for which we solicit a patent by our petition to the Commissioner of Patents, dated (*date*) day of (*month*), 190... And I further say that the same has not been patented to me, or to others with my knowledge and consent in any country (except in the following countries) (name of the countries and dates of patents). And I further say that the several allegations contained in the said petition are respectively true and correct.

(Signatures of Inventors.)

Sworn before me, by the said (names of inventors), this (*date*) day of (*month*), 190..., at the (*place*).

(Signature of officer administering oath.,

(Official character.)

(Affix seal here.)

SPECIFICATION.

To all whom it may concern:

Be it known that I (*inventor's name in full*) of the (*full address giving city, county or province and country*) have invented certain new and useful improvements in (*title of invention*) and I do hereby declare that the following is a full, clear and exact description of the same.

[*Description.*]

What I claim as my invention is:

[*Claims.*]

Signed at (*place*) this (*date*) day of (*month*), 190..
(*Inventor sign here.*)

In the presence of:

.....
.....

(*Two witnesses.*)

REVOCATION.

To the Commissioner of Patents, Ottawa:

The undersigned (*inventor's or applicant's full name*) of the (*full address, giving city, county or province and country*) (*occupation*) having on or about the (*date of execution of power*) appointed (*full name and address of attorney*) his attorney, to prosecute an application for a patent for new and useful improvements in (*title of the invention*) hereby revokes the power of attorney then given and appoints E. J. Fetherstonhaugh of the City and District of Montreal, Province of Quebec, his attorney with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to sign the drawings, to receive the patent and to transact all business in the Patent Office connected therewith.

Signed at (*place*), this (*date*), day of (*month*), 190..
(*Applicant sign here.*)

In the presence of:

.....
.....

APPLICATION FOR REGISTRATION OF A PATENT UNDER SECTION 7 OF THE ACT OF 1903.

Hon. Commissioner of Patents, Ottawa, Ontario:

Sir,—The petition of (*name, address and occupation of inventor or inventors*) sheweth:

1st. That he is the proprietor of Canadian Patent Number (*number of patent*), dated the (*date*), granted for improvements in (*title of the invention*).

2nd. That the patent above referred to, instead of remaining governed by paragraph (a) of Section 4 of the Act of 1903 amending the Patent Act, should be brought under the conditions of Section 7 of the said Act, for the following reasons, viz.:

[*Reasons.*]

And your petitioner respectfully requests the Commissioner of Patents to issue an order under Section 7 of said Act making the patent subject to the conditions set forth in that section.

Signed at (*place*), this (*date*), day of (*month*), 190..

(*Petitioner sign here.*)

In the presence of:

.....
.....

UNITED STATES OF AMERICA.

Oath.

(Country.)

(County or State.)

RR.

(Applicant's full name.)

the above named petitioner.. being duly sworn depose.. and say.. that (subject or citizen) of (name of country) and resident of (residence address in full, giving street and number) that (he or they) verily believe (himself or themselves) to be the original, first and (sole or joint) inventor of the improvement in (title of invention) described and claimed in the annexed specification; that (he or they) do.. not know and do.. not believe the same was ever known or used before (his or their) invention or discovery thereof, or patented or described in any printed publication in any country before (his or their) invention or discovery thereof, or more than two years prior to this application, or patented in any country foreign to the United States on an application filed more than twelve months before this application, or in public use or on sale in the United States for more than two years prior to this application; and that no application for patent on said improvement has been filed by (him or them) or (his or their) representatives or assigns in any country foreign to the United States, except as follows (country and filing date).

(Sign full name here.)

.....

Sworn to and subscribed before me, this day of, 190. .

(Signature of officer administering oath.)

(Official character.)

(Affix seal here.)

PETITION WITH POWER.

To the Commissioner of Patents, Washington:

Your petitioner (*inventor's name*), (*subject, citizen*) of (*country*), resident of (*city, county or province and country*), whose post-office address is (*street address, city and country*), prays that Letters Patent may be granted to him for the improvements in (*title of the invention*) set forth in the annexed specification; and he hereby appoints E. J. Featherstonhaugh, of the Cities of Montreal and Toronto, in Canada, and Washington, in the United States of America, his attorney, registration Number 6,504, with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent and to transact all business in the Patent Office connected therewith.

Signed at (*place*).

.....(*Date.*).....

(*Signature of the inventor.*)

SPECIFICATION.

To all whom it may concern:

Be it known that I, (*inventor's name in full*) (*a subject of the King of Great Britain*), residing at (*full address*) have invented certain new and useful improvements in (*title of the invention*) of which the following is a specification.

[*Description.*]

What I claim as my invention is:

[*Claims.*]

Signed at (*place*), this (*date*), day of (*month*), 190..
(*Inventor sign here.*)

Witnesses:

.....
.....
(*Two witnesses.*)

REVOCATION.

To the Commissioner of Patents, Washington:

The undersigned having, on or about the (*date of execution of patent*) appointed (*name and address of attorney*) his attorney to prosecute an application for Letters Patent, which application was filed on or about the (*filing date*) for improvements in (*title of invention*) serial number (.....) hereby revokes the power of attorney then given, and appoints E. J. Fetherstonhaugh, of the Cities of Montreal and Toronto, in Canada, and Washington, in the United States of America, registration Number 6,504, his attorney, with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent Office connected therewith.

Signed at, this day
of, 190..

(*Applicant sign here.*)

CANADA OR UNITED STATES.

ASSIGNMENT BEFORE PATENT.

Whereas I, (*name of the assignor*) of the (*full address*) have invented certain new and useful improvements in (*title of the invention*) as fully set forth and described in the specification prepared and executed by me on the (*date of execution*) preparatory to obtaining a patent of the (*United States or Dominion of Canada*) therefor.

And whereas, (*name of the assignee*) of the (*full address*) is desirous of acquiring an interest in said invention and patent.

Now, therefore, to all whom it may concern, be it known that, for and in consideration of one dollar to me in hand paid, the receipt of which is hereby acknowledged, I have assigned, sold and set over, and by these presents do assign, sell and set over, unto the said (*name of the assignee*), his heirs and assigns, all of the right, title and interest which I have in said invention and patent.

And I do hereby authorize and request the Commissioner of Patents to issue the said patent to the said (*name of the assignee*) in accordance with this assignment.

And I hereby covenant that I have full right to convey the interest herein transferred, and that I have not executed any writing in conflict herewith.

In testimony whereof I hereunto set my hand and affix my seal this (*date*), at (*place*).

(*Signature of assignor.*)

(*Seal.*)

Sealed and delivered in presence of:

.....

.....

(*Two witnesses.*)

CANADA OR UNITED STATES.

ASSIGNMENT OF PATENT.

Whereas, (*name of assignor*) of the (*full address*) did obtain a patent of the (*Dominion of Canada or United States of America*) for certain improvements in (*title of the invention*) which patent bears date the (*date*) and is numbered (*number*).

And whereas I, (*name of the assignor*) am sole owner of the said patent.

And whereas (*name of the assignee*) of the (*full address*) is desirous of acquiring an interest therein.

Now, therefore, to all whom it may concern, be it known that, for and in consideration of one dollar, to me in hand paid, the receipt of which is hereby acknowledged, I have assigned, sold, and set over, and by these presents do assign, sell and set over unto the said (*name of the assignee*) all of the right, title and interest which I have in said invention and patent.

The same to be held and enjoyed by the said (*name of the assignee*) for his own use and behoof, and for the use and behoof of his legal representatives, to the full end of the term for which said patent is granted, as fully and entirely as the same would have been held and enjoyed by me if this assignment and sale had not been made.

In testimony whereof, I hereunto set my hand and affix my seal this (*date*), at (*place*).

(*Signature of the assignor.*)

(*Seal*)

Sealed and delivered in presence of:

.....

.....

(*Two witnesses.*)

TRADE MARK FORMS.

CANADA.

To the Minister of Agriculture (Trade Mark and Copyright Branch), Ottawa.

(Name of applicant or applicants), of the *(address in full)*, hereby furnish a duplicate copy of a *(Specific or General)* Trade Mark, to be applied to the sale of *(specify goods)* in accordance with Sections 4 and 9 of "The Trade Mark and Design Act," which *(I or we)* verily believe is *(mine or ours)* on account of having been the first to make use of the same.

The said *(Specific or General)* Trade Mark consists essentially of *(insert complete description of Trade Mark)* and *(I or we)* hereby request the said *(Specific or General)* Trade Mark to be registered in accordance with the law.

(I or we) forward herewith the fee of \$. in accordance with Section 10 of the said Act.

In testimony whereof *(I or we)* have signed in the presence of the two undersigned witnesses, at the place and date hereunder mentioned.

(Place), this *(date)*, day of *(month)*, *(year)*.

(Signature of applicant or applicants.)

Witnesses:

Two witnesses.

UNITED STATES OF AMERICA.

APPLICATION WITH POWER.

To the Commissioner of Patents, Washington.

The undersigned presents herewith a facsimile of *(his or their)* lawful trade-mark, and request that the same, together with the accompanying statement and declaration, may be registered in the United States Patent Office in accordance with the law in such cases made and provided, and *(he or they)* hereby appoints E. J. Fetherstonhaugh, of the Cities of Montreal and Toronto in the Dominion of Canada, and Washington in the United States of America, *(his or their)* attorney, registration Number 6,504, with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent and to transact all business in the Patent Office connected therewith.

Signed at *(place)* this *(date)*, day of *(month)*, *(year)*.

(Signature of applicant or applicants.)

UNITED STATES OF AMERICA.

Oath.

(Country.)

(State or Province.)

(County or District.)

(If a company or firm insert officer's name or name of partner or applicant), being duly sworn, deposes and says that he is (a member of), (name of firm), (or manager or secretary) of (name of company), (a company duly incorporated under the laws of), (country), the applicants named in the foregoing statement; that he verily believes that the foregoing statement is true; that the said (applicant, firm or company) at this time has a right to the use of the trade-mark therein described; that no other person, firm or corporation has the right to such use, either in the identical form or in any such near resemblance thereto as might be calculated to deceive; that the trade-mark is used by the said (applicant, firm or company) in commerce between the United States and foreign nations or Indian tribes, and particularly (name of country traded with); and that the description and facsimiles presented for record truly represent the trade-mark sought to be registered.

.....

(Signature.)

Sworn and subscribed before me, at *(place)*, this
(date), day of *(month)*, *(year)*.

(Signature of Consular Officer.)

(Seal.)

UNITED STATES.

STATEMENT.

To all whom it may concern:

Be it known that we, C. D. & Co., a firm domiciled in the City of, County of, State of, and doing business at No., street, in the said city have adopted for our use a trade-mark for molasses, of which the following is a full, clear and exact description. Our trade-mark consists of the word "Dove" and the representation of a dove, in which the dove is represented as flying, and above it are arranged, on a curved line, the words "The Dove Brand" in plain block letters. The position of the dove may be changed and different styles of letters used, and the words "The" and "Brand" may be omitted, without altering the character of the trade-mark, the essential features of which are the word "Dove" and the representation of a dove. This trade-mark has been continuously used in our business since, 19... The class of merchandise to which this trade-mark is appropriated is groceries, and the particular description of goods comprised in said class upon which we use the said trade-mark is molasses. It is usually displayed on heads of barrels or packages, and on cans containing the goods, by placing thereon a printed label on which the described trade-mark is shown.

C. D. & CO.

By C. D., a member of the firm.

Witnesses:

E. F.

G. H.

CANADA INDUSTRIAL DESIGNS.

To the Minister of Agriculture (Trade Mark and Copyright Branch), Ottawa.

I (*name of person*), being a resident of Canada, and now residing in the (*city, town or other locality as the case may be*), in the (*name of the Province, as the case may be*), hereby declare that I am the proprietor of the Industrial Design, of which duplicate copies are herewith forwarded, and which consists (*here insert a description of the design, and an explanation of its use*), and I hereby request that the said Industrial Design be registered in accordance with the law.

I forward herewith the fee of \$5, in accordance with Section 26 of "The Trade Mark and Design Act."

In testimony thereof, I have signed, in the presence of the two undersigned witnesses, at the place and date hereunder mentioned.

(*Place and date.*)

(*Signature of the proprietor.*)

Witnesses:

(*Two witnesses.*)

UNITED STATES.

DESIGN PATENT.

Petition With Power.

To the Commissioner of Patents:

Your petitioner (*applicant's name*), a (*subject or citizen of*), and a resident of (*address in full*), whose post-office address is (*post-office address*), prays that letters-patent may be granted to him for the term of (*for the term desired*) for the new and original design for (*title of design*), set forth in the annexed specification.

(Add power same as on Page 19.)

Signed at (*place*), this (*date*), day of (*month*), (*year*).

Specification.

To all whom it may concern:

Be it known that I (*applicant's name*), a (*citizen or subject of*), residing at (*address in full*), have invented a new, original and ornamental design for (*title of design*), of which the following is a specification, reference being had to the accompanying drawing, forming part thereof. (*Full description of design.*)

Having described my invention, what I claim as new, and desire to secure by Letters-Patent, is:

The ornamental design for (*title of design*), as herein shown and described.

In testimony whereof I have signed my name to this specification in the presence of two subscribing witnesses.

(*Signature of applicant.*)

Witnesses:

(*Two witnesses.*)

Oath.

Substantially the same as Letters-Patent.

NECESSARY DOCUMENTS AND DRAWINGS.

CANADA PATENTS

PETITION WITH POWER:

OATH:

SPECIFICATION: Two complete copies in the English language on good paper, 8 x 13 inches.

CLAIMS: Three complete copies in the English language on good paper, 8 x 13 inches, two of said copies to be attached to the specifications.

DRAWINGS: One set on Bristol board or similar material, 8 x 13 inches; two sets on good linen cloth. All drawings should be in black ink, clear, sharp and no brush shading or tinting. The tracings on cloth, should have a certificate at the bottom inside a marginal line half an inch from the edge. The certificate reads "Certified to be the drawings referred to in the specification hereto annexed."

Office copies of specification claims and drawings should accompany papers.

OUR CHARGES.

When the application papers are received in readiness to file, including Government fee. \$27 50
In simple cases where the amendments are merely formal we make no further charge.

In cases where the claims have to be re-drafted with particular reference to existing patents, we make an additional charge of..... 2 50

In all other cases requiring particular attention we refer the matter to those for whom we are acting, before adding expense to the persecution

Translation charges additional.

Recording an assignment, including Government fee \$5 00

Renewals, including Government fees.....	22 50
Maturing before the end of the sixth and the twelfth years.	
Petition, re Section 7.....	5 00
This refers to the Compulsory Licensing Clause in the Amended Act.	

UNITED STATES PATENTS

PETITION WITH POWER.

OATH:

SPECIFICATION: One copy in the English language on good paper, 9 x 13 inches.

CLAIMS: One copy in the English language on good paper, 8 x 13 inches, and attached to the specification.

DRAWINGS: One set on good, smooth-surfaced Bristol board, 10 x 15 inches, and having a clear margin there around of one inch; one and one-quarter inches must be left blank inside the margin at the top of the card.

All drawings must be made with the pen in black ink and the lines should be clear and distinct.

Office copies should accompany papers.

THE OATH, PETITION WITH POWER, THE SPECIFICATION AND CLAIMS: Should be secured together, before the seal of the officer administering the oath is affixed, or the impression of the officer's seal may be made on all the separate sheets.

The Seal of a Consular officer must be affixed to the oath in countries foreign to the United States.

OUR CHARGES.

For a United States application where the papers are in proper order, excluding final Govern- ment fee of \$20.00.....	\$25 00
In cases where an amendment is required to over- come conflicting references we charge in ad- dition	2 50

In cases when the work entails lengthy prosecution we consult with those for whom we are acting before adding to the expense.
 Recording an assignment, including the Government fee\$ 5 00

Canada Designs.

Our charges, including Government fee, for term of five years\$10 00

United States Designs.

Our charges, including Government fee, for term of 3½ years' Patent.....\$25 00
 7 years' Patent..... 40 00
 14 years' Patent..... 50 00

Canada Trade Mark.

Our charges, including Government fee:
 General\$35 00
 Specific 30 00

United States Trade Mark.

Our charges, including Government fee.....\$35 00

Copyrights.

Canada\$ 5 00
 United States 7 50

FETHERSTONHAUGH & BLACKMORE,
 Liverpool and London and Globe Building,
 Montreal,
 Canada.

Room 511 McGill Building, Washington.